

promise of quality and affordable health care for every American senior citizen. My legislation has been endorsed by the National Committee to Preserve Social Security and Medicare and the National Council of Senior Citizens. The Medicare Rights Center also has spoken out in opposition to Medicare private contracts.

Mr. Speaker, this legislation is the only way we can continue to guarantee every senior citizen in America the right to affordable health care under Medicare. The private contracts allowed under the Balanced Budget Act of 1997 represent a dangerous first-step towards dismantling the Medicare program as a whole. They are ill-conceived and unnecessary. These contracts will allow doctors to disregard Medicare's most important protection—balanced billing limits. These limits guarantee that all seniors regardless of their income or their health status will have access to affordable health care. Private contracts destroy these protections and allow doctors the ability to decide patient-by-patient which senior will be forced to pay more than Medicare's set rates for needed medical care.

During debate on the budget bill in 1997, Senator JON KYL of Arizona included this private contracting provision to allow any doctor to treat Medicare patients outside of the program and bill the patient privately at any rate the doctor sets. During negotiations on the final package, the provision was altered to protect beneficiaries and to prevent physicians from moving back and forth between billing some patients privately and others through the Medicare program. The final bill stated that if the doctor wanted to treat seniors under private contract, then the doctor had to forgo Medicare participation entirely for two years.

This two-year restriction was designed to protect the program against fraud, guard against a massive exit of physicians from the Medicare program, and ensure that doctors would not create a two-tiered Medicare system—one waiting room for private pay patients who are served first, and one for non-private Medicare beneficiaries who are served last. In the 105th Congress, attempts were made to remove this two-year limitation and give doctors the right to decide not only patient-by-patient, but procedure-by-procedure, which services will be billed through Medicare and which will be billed privately. Fortunately, we have been successful so far in thwarting these efforts, but the campaign of misinformation continues.

Many of you have probably seen the mailings certain interest groups have been sending to our senior constituents in an attempt to distort the facts about private contracts. These mailings are falsely scaring seniors and attempting to trick them into giving up Medicare's balanced billing protections.

Let's retain Medicare's balanced billing limits for all Medicare beneficiaries by eliminating these dangerous private contracts. These billing limits are the only way we can guarantee that all seniors receive the health care they need at reasonable and fair prices.

I urge my colleagues to cosponsor the Medicare Preservation and Restoration Act—a sensible and responsible proposal which will guarantee Medicare for all elderly Americans.

## EXTENSIONS OF REMARKS

### REQUIRING A TWO-THIRDS VOTE ON FAST TRACK

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 3, 1999*

Mr. TRAFICANT. Mr. Speaker, Article I, Section 8 of the Constitution of the United States of America states: "Congress has the power to lay and collect . . . Duties and to regulate Commerce with foreign Nations." Article II, Section 2 of the Constitution of the United States of America states: "Treaties with foreign government shall be confirmed by a two-thirds majority of the Senate." However, over time, Congress has given away its Constitutional authority and responsibilities to the Executive Branch.

Take fast-track authority, for example. Fast-track proponents claim that this legislative authority is needed to expedite the negotiating process as well as consideration of the implementing legislation through the establishment of deadlines for various legislative stages, a prohibition on amendments, a limit on debate, and a requirement for an up-or-down vote. There are several myths and untruths associated with this argument, however.

The big myth is that the President needs fast track to negotiate trade agreements. The President already has the Constitutional power to conduct foreign affairs and negotiate international trade agreements. However, because Congress must approve any changes to U.S. law that result from trade agreements, fast track proponents purport that fast track is needed to strengthen the President's stance during trade negotiations and expedite consideration of the implementing legislation. The truth is, the President needs fast track so he can ignore the opinions of the vast majority of Members of Congress.

Fast-track authority, in theory, protects Congress from the delegation of Constitutional authority through the notifications and consultations the President must provide to Congress prior to, and during, trade negotiations. In practice, however, Congress has handed over its Constitutional powers on a silver platter. The President has ignored the directives of large minorities in Congress regarding environmental protection, labor standards and American jobs, then bought the votes of a few with personal promises to gain the simple majority needed for passage.

The fact is, the archetype fast-track legislative authority was designed to give the President additional authority to negotiate customs classifications only. Experience has shown item-by-item consideration of the tariff schedule by Congress to be an arduous process, so the President was granted the ability to negotiate the small points. The bottom line is, the original fast-track was never intended to grant the President the broad authority over a vast array of nontariff issues he enjoys today.

Another myth claims that fast-track process is needed not only to negotiate, but to simply get the trade agreement through the legislative process. Converse to popular thought, however, the fast-track procedure has rarely been implemented. Over 200 trade agreements have been enacted without fast track authority

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while only five trade agreements have been enacted under this procedure.

Clearly, fast-track authority has digressed from the original intentions of Congress. The President now has broad authority, while Members' hands are tied. Consultations are with a privileged few and merely a formality for the body as a whole. I have introduced legislation to authenticate fast-track legislative authority.

The Trade Act of 1974 recognizes the fast track mechanism as an "exercise of the rule-making power of the House . . ." and maintains the "constitutional right of either House to change its rules at any time, in the same manner and to the same extent as any other rule of the House." In other words, the House may change its rules as it sees fit. The erosion of fast-track legislative intent is more than enough reason for the House to change its rules.

The Traficant resolution amends the rules of the House to require a two-thirds majority vote on any legislation that either authorizes the President to enter into a trade agreement that is implemented pursuant to fast-track procedures, or that implements a trade agreement pursuant to such procedures. By requiring a two-thirds vote rather than a simple majority, the President will no longer be able to ignore the concerns of the vast majority of Members during negotiations and sweeten the agreement later. Trade agreements will take a consensus of both the legislative and executive branches to negotiate—a constitutionally sound solution of which the Founding Fathers would be proud. I urge my colleagues to support this resolution.

TRIBUTE TO GEN. CHARLES  
KRULAK

**HON. RON PACKARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 3, 1999*

Mr. PACKARD. Mr. Speaker, I would like to pay tribute to General Charles Krulak who is preparing for retirement from the Marine Corps. For the last four years General Krulak has been the commandant of the Marine Corps.

For 70 years, a member of the Krulak family has worn the eagle, globe and anchor. General Charles Krulak continued the tradition set by his father, when he graduated from the Naval Academy in 1964. General Krulak has spent a total of 35 years in the Corps which culminated on July 30, 1995 when he became the 31st commandant.

Mr. Speaker, General Krulak is a shining example of what is best about the Marine Corps. I agree with the former Secretary of Education, William Bennett, when he said, "The Marine Corps is the only institution in the nation that holds to its standards." General Charles Krulak epitomized the respect many of my colleagues here in Congress have for the men and women who serve our nation.

It has been both an honor and a pleasure to work alongside General Krulak in addressing the needs of our Nation's finest soldiers. I would like to thank him for his hard work and

his dedication to the Corps in which he has proudly served. I would also like to wish him continued success and happiness in his retirement.

THE "AT HOME WITH ARTS." PROGRAM

HON. STEVE R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

Mr. ROTHMAN. Mr. Speaker, I rise today to pay tribute to a project in my home state of New Jersey that deserves recognition: the "At Home with the ARTS" program. This acronym stands for Alzheimer's Recognition Therapy Service (ARTS). A problem in our society today is the increased presence of Alzheimer's disease. Thanks to a three-year \$217,000 grant by The Robert Wood Johnson Foundation of Princeton, the ARTS program has expanded to assist more families with the crippling effects of Alzheimer's Disease.

The "At Home with the ARTS" program serves two purposes. First, it helps to improve the quality of life for the individual with Alzheimer's, and secondly, it helps the caregiver cope with the effects of the disease. The program assigns a recreational therapist, who is trained in recreation, music, art, or activity therapy, to a patient with Alzheimer's. The therapist and the patient meet once a week for 12 weeks, during which time the therapist tries a variety of activities to see which is best at securing the patient's attention. The most challenging aspect of this program is finding what activity interests the patient.

This program has been successful in helping people such as Beverly Cohen of Teaneck, whose mother is suffering from Alzheimer's. Since her mother was hard of hearing and did not enjoy watching television, Ms. Cohen tried giving her small tasks to complete—but, her mother was not interested. However, after several weeks of meeting with a recreational therapist, Ms. Cohen discovered that her mother enjoyed arranging dried flowers and pasting magazine pictures on coffee cans. Ms. Cohen said the therapist helped her figure out the things her mother enjoyed doing, and Ms. Cohen feels that both she and her mother have profited greatly from the program.

The success of the "At Home with the ARTS" Program has gained the attention of the Robert Wood Johnson Foundation, and their grant of \$217,000 has helped to create an offshoot program in Hudson and Essex counties. Volunteers of the Foundation's offshoot program serve as companions to Alzheimer's patients, and are trained to provide an additional four hours of recreational therapy per week. This added time greatly improves the changes of providing those who suffer from Alzheimer's with a more active and fulfilling daily routine.

Since it was started in 1995, ARTS has served more than 132 families, and the offshoot program has served 85. Both the program creators and its patients believe the sessions help to reduce the depression and behavioral disorders associated with Alzheimer's.

Fred Brand, Manager of Family Service Programs for the Association said that "Recreational activities won't stop the course of the disease, but (the therapy) is something that brings back memories, brings back a sense of pleasure, and brings back a dormant type of abilities." Finally, all of the program's initiatives are not directed solely towards the patient. At the end of each visit, a half hour is spent with the caregiver so they may learn how to do the activities developed by the therapist themselves.

I want to commend the people involved with the ARTS program and those who volunteer their time for the offshoot program. They truly make a daily difference in many people's lives. I also commend the Robert Wood Johnson Foundation for providing the vital financial support to this program and others across the nation.

SOCIAL SECURITY GUARANTEE INITIATIVE

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1999

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to speak on behalf this resolution, which expresses our firm belief that we should work in a bipartisan manner, along with the President, to ensure that the benefits of social security will still be here for our future generations.

This resolution is a compelling one because it recognizes the importance of the Social Security program to America. Social Security is the most successful anti-poverty program currently funded by our federal government. It currently helps support over 44 million people, many of whom depend on it as their sole source of income as they reach the age of retirement.

Even for those who have pension plans and retirement accounts, social security monies are crucial. Many retirement plans do not include extended health care coverage, and even those that do rarely include dollars for prescription medication. For those people, social security keeps Older Americans from having to make the difficult choice between eating, and taking medication that is medically necessary for their life and well-being.

The benefits of social security are even more crucial to women. This is because women tend to live longer than men, and because, as a whole, women work fewer years because they often must stay home part of their careers to help raise their families. Even for those women that manage to have long and full careers, most face one form or another of gender discrimination—which means they often have less money to put in the bank at the end of their work week.

I am also happy to support this resolution because it recognizes the impact and importance of Social Security to the minority community. Like women, minorities rely more heavily on social security because they disproportionately earn less money, and have fewer benefits, than do white workers. As a re-

sult, minorities tend to struggle more with their families as they reach the age of retirement—a time where medical expenses tend to go up rather than down.

For these reasons, preserving social security is simply the right thing to do for all of America. I look forward to working with all of you here in the House to enact a plan that will extend the life of this life-saving program another 30 years, and hope that together, we can resolve this issue for our children, and our children's children.

THE PERKINS COUNTY RURAL WATER SYSTEM ACT OF 1999

HON. JOHN R. THUNE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

Mr. THUNE. Mr. Speaker, I rise today to introduce the Perkins County Rural Water System Act of 1999. This legislation authorizes the construction of the Perkins County Rural Water System, which when completed, will provide water to over 3,500 people in an area covering 2,866 square miles. This area is larger than each of the states of Rhode Island and Delaware. The project addresses a basic need not currently being met in many areas of my state of South Dakota. That need is for water.

Much like other areas of South Dakota, Perkins County frequently experiences problems involving both the quality and quantity of available water. The present water supply consistently fails to meet standards set by the Environmental Protection Agency for total dissolved solids and sulfates. Additionally, the sodium and fluoride levels have been found to be exceedingly high as determined by the State of South Dakota and numerous medical practitioners in the area. The water of Perkins County impacts not just the quality of life for these South Dakotans, but also their health.

The Perkins County Rural Water System is not a new concept. As testimony before the House Resources Committee last year indicated, the project dates back to 1982 when a group of farmers and ranchers were contacted by the Southwest Pipeline Project in North Dakota to see if they were interested in obtaining water to serve Perkins County. By 1992, Southwest Pipeline had grown to the point that Perkins County could have been included in engineering design work. However, the legislation did not specifically authorize the construction of the Perkins County System. And since 1982, the states of North Dakota and South Dakota recognized Perkins County as a future extension of the Southwest Pipeline project. In fact, the original congressional legislation authorizing the Southwest Pipeline project referred to the potential for a future connection for Perkins County. The current legislation authorizing the construction of this water system recognizes and builds upon this past history.

This legislation was originally introduced during the 104th Congress, and I later reintroduced the measure in the 105th Congress. Since its introduction, the proposal has been the subject of several hearings, and extensive discussions and negotiations between the project sponsors, the Administration, and the